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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/092,352

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Keijiro Murayama

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EXAMINER

RIVELL, JOHN A

ART UNIT

PAPER NUMBER

3753

DATE MAILED: 02/11/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/092,352	Applicant(s) MURAYAMA ET AL.	
	Examiner John Rivell	Art Unit 3753	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/7/02 (app. IDS), 5/6/02 (priority).
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☒ Claim(s) 4-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 May 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

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Claims 1-7 are pending.

The disclosure is objected to because of the following informalities: On page 4, line 18, "further" should be capitalized. On page 12, line 12, "4a" should read -- 104a --. On page 13, line 13, "103" should read -- 105 --; line 25, "rage" should read -- range --. On page 16, line 19, "111" should read -- 211 -- On page 24, line 20, "308" should read -- 321 --.

Appropriate correction is required.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. §102 (b) as being anticipated by Raymond.

The patent to Raymond discloses "an apparatus for outputting compressed air in a compressor (30) to a plurality of pneumatic tools (40) at a plurality of pressures (column 1, lines 37-41), said apparatus comprising: an air tank storing compressed air compressed by the compressor at a high pressure (i.e. the "built in accumulator" as disclosed at column 2, lines 59-62); a pressure adjusting portion (regulator valve at reference numeral 20, the inlet to tank 12) connected to said air tank (the built in accumulator) and adjusting a pressure value of the compressed air in a region from the high pressure to zero; a pressure outputting portion (read on the plurality of outlet connections 22, each including their own adjustable regulator 34 and gauge 36) connected to a secondary side (the outlet side) of said pressure adjusting portion

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(regulator 34 of inlet 20) and outputting the adjusted compressed air to at least one of a first pneumatic tool (40) driven at a first pressure and a second pneumatic tool (40) driven at a second pressure (see adjustable disclosure at col. 1, lines 37-41), wherein the first pressure is larger than the second pressure (for example, an outlet pressure at the upper left side of tank 12 at coupling 28 can be adjusted to be the highest outlet pressure and any other outlet at any other coupling 38 can be adjusted to a lower value), and wherein the adjusted compressed air is not output to the second pneumatic tool (i.e. not output to any other coupling 38 and associated tool) at the first pressure" as recited in claim 1.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raymond. Raymond discloses the claimed invention except for "a plurality of units comprising said pressure adjusting portion and said pressure outputting portion are connected to said air tank".

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to employ a plurality of units, such as the entire "unit including inlet hose 32 to the plurality of tools 40 connected to the single inlet hose 32 in Raymond, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Raymond in view of Firey.

The patent to Raymond discloses all the claimed features with the exception of having a pressure responsive on/off valve in any of the hoses connected to the lower pressure operated tools.

The patent to Firey discloses that it is known in the art to employ a pressure responsive "on/off" valve 3, in the supply line from a compressor 1 to a use 9, 10, 11, responsive to the pressure in the supply lines 6, 7, 8 as sensed by pressure sensors 16, 17, 18 for the purpose of controlling the maximum value of pressure supplied to the use points 9, 10, 11.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to employ in Raymond a pressure responsive on/off valve in any of the supplied lines of Raymond for the purpose of controlling the maximum value of pressure supplied as recognized by Firey.

Claims 4-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Rivell whose telephone number is (703) 308-2599. The examiner can normally be reached on Mon.-Thur. from 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Scherbel can be reached on (703) 308-1272. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


John Rivell
Primary Examiner
Art Unit 3753

j.r.